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February 25, 2022

Honorable Alison J. Nathan
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: United States v. Roger Thomas Clark
15-cr-866 (AJN)

Dear Judge Nathan:

I write to request that the Court issue an order directing the Metropolitan Detention Center ("MDC") to comply with subpoenas this Court signed on November 15 and 18, 2021, respectively. Attached hereto as Exhibits A and B.

On approximately November 17, 2021, my paralegal, Nato Chelidze, spoke in person with Michael Cardew, a paralegal at the MDC, about how to serve subpoenas on the MDC. He advised her that the MDC would accept service of the subpoenas by email. On November 19, 2021, I emailed the subpoenas to Mr. Cardew at his MDC email. I received no response. On December 9, 2022, Ms. Chelidze sent a follow-up email to Mr. Cardew. He advised her to send the request to a different email address, which he provided. I sent the subpoenas to that newly provided address on December 10, 2021. Nevertheless, the material was not produced by the MDC.

On January 4, 2022, Ms. Chelidze sent a follow-up email to the MDC to the email address Mr. Cardew had provided for subpoena requests. The material was not produced.

On February 10, 2022, I sent another email to the MDC email address Mr. Cardew had provided for subpoena requests. I sent a copy of that email to Mr. Cardew's email address and to MDC Attorney Sofia Papapetru's MDC email address. I asked whether the MDC intended to comply with the subpoenas. I received a response from Ms. Papapetru on February 11, 2022, stating that she did not have access to the email

address to which I had sent the subpoenas, and she would “look into this for processing.” I sent a responding email the same day to Ms. Papapetru, asking when the MDC would provide the material. I have received no response. I have not received the subpoenaed material.

Yesterday, I heard from the Civil Division of the U.S. Attorney’s Office on behalf of the MDC and was informed that the MDC will respond promptly.

I initially sought the subpoenaed material, without objection by the government, to obtain information that I believed would be important for the sentencing of Roger Clark. Mr. Clark is scheduled to be sentenced by the Court on April 1, 2022. My sentencing submission is due on March 23, 2022. As a result, it has become imperative that I receive this material now. I have attempted to obtain the material from the MDC without success. I believe Court intervention is necessary and appropriate at this time.

Respectfully submitted,

_____/s/_____
Stephanie Carvlin
Counsel for Roger Clark

cc: AUSA Michael Neff
AUSA Vladislav Vainberg (via ECF)